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PATENT

Docket No.: 063288-0654

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277

Robin L. HEILMAN : Confirmation Number: 4683

Application No.: 10/823,789 : Group Art Unit: 3721

Filed: April 14, 2004 : Allowed: October 21, 2005 Examiner: Hemant Desai

For: ENVELOPE AND INSERT TRANSPORT AND INSERTION MACHINE

## COMMENTS RESPONSIVE TO STATEMENT OF REASONS FOR ALLOWANCE UNDER 37 C.F.R. § 104(e)

Mail Stop Issue Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance accompanied the October 21, 2005 Notice of Allowability regarding the above-identified application. A second Statement of Reasons for Allowance accompanied the November 14, 2005 Supplemental Notice of Allowability. The October 21, 2005 Statement gave a single rationale for patentability with respect to all of the allowed claims. The November 14, 2005 Statement substantially repeated that rationale but specifically directed it to independent claims 1 and 31. Both Statements appear to paraphrase portions of one or more claims, but the wording of the Statements fails to precisely track the wording of any of the allowed claims. The November 14, 2005 Statement also set forth a separate rationale for patentability with respect to claim 32. Entry of these Statements into the record should not be construed as any agreement with or acquiescence by Applicant in any of the stated reasoning.

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With regard to claims 1 and 4, Applicant's positions on patentability are already on the

record. The Statements should not create any narrowing interpretation or estoppel with regard to

claim 1, particularly to the extent that the Statement may differ from the actual recitations in that

independent claim and/or from the proper interpretation thereof in light of the claim language.

the specification and Applicant's remarks.

Also, independent claims 31 and 32 and a substantial number of the dependent claims

were indicated allowable over the art in the first action. There has been no narrowing of such

claims, and there should be no need for specific comments as to patentability.

It is respectfully submitted that the allowed claims should be entitled to the broadest

reasonable interpretation and to the broadest range of equivalents that are appropriate in light of

the language of the claims, the supporting disclosure and Applicants' prosecution of the claims,

without reference to the Statement of Reasons for Allowance.

To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. §

1.136 hereby made. Please charge any shortage in fees due in connection with the filing of this

paper, including extension of time fees, to Deposit Account 500417 and please credit any excess

fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

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Date: January 17, 2006

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